

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS**

	)	
	)	
National Immigration Litigation Alliance;	)	
Refugees International,	)	
	)	
Plaintiffs,	)	
v.	)	Civil Action No. 1:25-cv-11692-LTS
	)	
U.S. Department of State	)	
	)	
	)	
Defendant.	)	

**DEFENDANT’S ASSENTED-TO MOTION FOR A STAY OF DISCOVERY AND OTHER  
OBLIGATIONS UNDER THE JOINT STATUS REPORT  
IN LIGHT OF LAPSE OF APPROPRIATIONS**

The United States of America hereby moves for a stay of defendant Department of State’s discovery and other obligations under the Joint Status Report of September 30, 2025, in the above-captioned case.

1. At the end of the day on September 30, 2025, the appropriations act that had been funding the Department of Justice expired and appropriations to the Department lapsed. The same is true for several other Executive agencies, including defendant the U.S. Department of State. The Department does not know when funding will be restored by Congress.

2. Absent an appropriation, Department of Justice attorneys and employees of the Social Security Administration are prohibited from working, even on a voluntary basis, except in very limited circumstances, including “emergencies involving the safety of human life or the protection of property.” 31 U.S.C. § 1342.

3. Undersigned counsel for the Department of Justice therefore requests a stay of the U.S. Department of State’s obligations under the Joint Status Report that was filed on September 30, 2025, which obligations include: processing and producing documents to plaintiffs on a rolling basis with the next production due October 27, 2025; providing an initial page count of potentially responsive documents by October 28, 2025;

and filing the next Joint Status Report by October 31, 2025; until Congress has restored appropriations to the Department.

4. If this motion for a stay is granted, undersigned counsel will notify the Court as soon as Congress has appropriated funds for the Department. The Government requests that, at that point, all current deadlines for the parties be extended commensurate with the duration of the lapse in appropriations.

5. Opposing counsel has authorized counsel for the Government to state that they have no objection to this motion, provided that the current deadlines resume following the government shutdown. That is, Defendant's next production and provision of the page count for the responsive records would be provided by 27 days from the end of the shutdown; and the parties next Joint Status Report would occur 28 days after the end of the shutdown.

Therefore, although we greatly regret any disruption caused to the Court and the other litigants, the Government hereby moves for a stay of the Department of Defense's obligations under the September 30, 2025, Joint Status Report until Department of Justice attorneys are permitted to resume their usual civil litigation functions.

Respectfully submitted,

LEAH B. FOLEY  
United States Attorney

Dated: October 6, 2025

By:

/s/ Shawna Yen  
Shawna Yen  
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*Counsel for Social Security Administration*

**LOCAL RULE 7.1(a)(2) CERTIFICATION**

I, Shawna Yen, Assistant United States Attorney certify that, I emailed Petitioner's counsel on October 6, 2025, seeking their position on this Motion. Petitioner's counsel assents to this Motion.

Dated: October 6, 2025

By: /s/ Shawna Yen  
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**CERTIFICATE OF SERVICE**

I hereby certify that this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non-registered participants.

Dated: October 6, 2025

By: /s/ Shawna Yen  
SHAWNA YEN  
Assistant United States Attorney